

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

ELSEVIER, INC.; PEARSON EDUCATION,
INC.; CENGAGE LEARNING, INC.; and
MCGRAW-HILL GLOBAL EDUCATION
HOLDINGS, LLC,

Plaintiffs,

v.

SIEW YEE CHEW; LYNETTE K. CHEW; KOK
KIT LAU; AKITRADE GLOBAL SDN BHD;
SHEIN WEI CHOO; YUMI WEE KENG YEE;
LEW MOY; LIM SEI HAW; LIAO WEI HAO;
JIAO LENG; ZHENG XIAOHONG; LIN ZHEN
WEI; LUO ZHIHONG; JEREMY GOULD;
VERONICA LEMMONS; BINIAM F.
TESFAZGHI; and YAROSLAV
STOLYARCHUK,

Defendants.

Civil Action No. 17-cv-6225-JGK-GWG

DECLARATION OF KERRY M. MUSTICO

I, Kerry M. Mustico, declare under penalty of perjury that the following statements are true and correct to the best of my personal knowledge and belief:

1. I am an attorney licensed to practice law in the State of New York and admitted to practice in the United States District Court for the Southern District of New York. I am Senior Counsel in the law firm, Oppenheim + Zebtrak LLP, which represents Plaintiffs in this action. I submit this declaration in support of Plaintiffs' Motion for Alternate Service on Defendants Siew Yee Chew, Lynette K. Chew, Kok Kit Lau, Akitrade Global Sdn. Bhd., Shein Wei Choo, Yumi Wee Keng Yee, Lew Moy, Lim Sei Haw, Liao Wei Hao, Jiao Leng, Zheng Xiaohong, Lin Zhen Wei, and Luo Zhihong (the "Motion").

2. I have knowledge of the facts stated herein based upon personal knowledge and my investigation and review of the documents and information referenced herein. If called up on to do so, I am able to testify competently regarding the facts stated herein.

3. Plaintiffs conducted expedited discovery aimed at third parties in order to identify and name the proper defendants in this case. Among other entities, Plaintiffs requested documents and information from the online marketplace, eBay, Inc. (“eBay”), and payment processor, PayPal, Inc. (“PayPal”), identifying Defendants’ contact information and bank account information.

4. PayPal and eBay initially produced limited information. However, Plaintiffs had Defendants’ email addresses from their purchases of the counterfeit textbooks from Defendants’ storefronts. Plaintiffs served the Complaint, the *Ex Parte* Order dated Aug. 18, 2017, Plaintiffs’ *ex parte* Application in support thereof, and the Preliminary Injunction on the Defendants by email to the addresses used by Defendants to operate their Storefronts. *See* Certificates of Service, ECF Nos. 16, 22.

5. Although all emails were successfully delivered to the Doe Defendants, only two, U.S.-based, Defendants responded—Jeremy Gould and Veronica Lemmons. Plaintiffs have not been contacted by any of the Foreign Defendants (as defined below), nor have they otherwise appeared in this action.

6. In December, eBay provided the relevant account information associated with Defendants Siew Yee Chew, Lynette K. Chew, Kok Kit Lau, Akitrade Global Sdn. Bhd., Shein Wei Choo, Yumi Wee Keng Yee, Lew Moy, Lim Sei Haw, Liao Wei Hao, Jiao Leng, Zheng Xiaohong, Lin Zhen Wei, and Luo Zhihong (collectively, the “Foreign Defendants”). In addition, PayPal provided registration information for accounts associated with the Foreign

Defendants' eBay accounts. Though Defendants have tried to conceal their identities, records produced by PayPal and eBay identify the Foreign Defendants as the operators of the following online storefronts on eBay.com (the "Online Storefronts"), which were identified in the First Amended Complaint:

- a. bb886500 (Seller URL <http://www.ebay.com/usr/bb886500>) operated by Defendants Liao Wei Hao and Jiao Leng;
- b. bookbuzzi (Seller URL <http://www.ebay.com/usr/bookbuzzi>) operated by Defendants Siew Yee Chew, Lynette K. Chew, Kok Kit Lau, and Akitrade;
- c. bookseller2221 (Seller URL <http://www.ebay.com/usr/bookseller2221>) operated by Defendant Lew Moy;
- d. bukhstar (Seller URL <http://www.ebay.com/usr/bukhstar>) operated by Defendant Lim Sei Haw;
- e. cs4885 (Seller URL <http://www.ebay.com/usr/cs4885>) operated by Defendant Luo Zhihong;
- f. gfro8866 (Seller URL <http://www.ebay.com/usr/gfro8866>) operated by Defendants Zheng Xiaohong and Lin Zhen Wei;
- g. greatwhite430 (Seller URL <http://www.ebay.com/sch/greatwhite430>) operated by Defendant Jeremy Gould;
- h. marbul-4 (Seller URL <http://www.ebay.com/usr/marbul-4>) operated by Defendant Veronica Lemmons;
- i. modelistajp (Seller URL <http://www.ebay.com/usr/modelistajp>) operated by Defendants Siew Yee Chew, Lynette K. Chew, Kok Kit Lau, and Akitrade;
- j. mystarbook (Seller URL <http://www.ebay.com/usr/mystarbook>) operated by Defendants Siew Yee Chew, Lynette K. Chew, Kok Kit Lau, and Akitrade;
- k. peteanderso-5 (Seller URL <http://www.ebay.com/usr/peteanderso-5>) operated by Defendant Yaroslav Stolyarchuk; and
- l. saveout (Seller URL <http://www.ebay.com/usr/saveout>) operated by Defendants Shein Wei Choo and Yumi Wee Keng Yee.

7. PayPal and eBay produced additional email addresses that the Foreign Defendants used to set up eBay and PayPal accounts so that they could sell counterfeits and receive the proceeds of such sales. As relevant to Plaintiffs' Motion, the email addresses associated with the Foreign Defendants that Plaintiffs have identified through their purchases of counterfeit textbooks from Defendants and eBay's and PayPal's subpoena responses are as follows:

- a. Liao Wei Hao and Jiao Leng:
 - liaoweihaol019@outlook.com
 - d18439392@126.com
- b. Zheng Xiaohong and Lin Zhen Wei:
 - zhengxiaohong119900@outlook.com
 - x7846559yanp@163.com
- c. Luo Zhihong:
 - dipo6551911@outlook.com
 - dipo6551911@sohu.com
- d. Shein Wei Choo and Yumi Wee Keng Yee:
 - wvr666@gmail.com
 - yumiwee@gmail.com
 - maystevenchoo@yahoo.com
 - toptextmy@gmail.com
- e. Lew Moy a/k/a Moy Moy:
 - bookwholesales@gmail.com
 - booktrading2222@gmail.com
 - bookwholesales@gmail.com

- textbookinternational@gmail.com
- f. Lim Sei Haw:
- haw2403@gmail.com
- g. Akitrade Global Sdn Bhd, Lynette K. Chew, and Siew Yee Chew:
- valuebuy2009@gmail.com
 - ubooks2008@gmail.com
 - unibooks2008@gmail.com
- h. Akitrade Global Sdn Bhd, Lynette K. Chew, Kok Kit Lau:
- mmstarbook@gmail.com
 - popstarmm@gmail.com
 - popstaredu@gmail.com

8. The records eBay and PayPal produced show that for each of the Online Storefronts, the Foreign Defendants provided multiple and ever-changing physical addresses in their account information. Some of the address information also appears to be incomplete. Thus, it is virtually impossible for Plaintiffs to determine the Foreign Defendants true locations.

Executed this 2nd day of February, 2018 in Washington, DC.

/s/ Kerry M. Mustico